

Remarks

Claims 1-30 are pending in the application. Claims 1-30 are rejected. All rejections are respectfully traversed. The claims are presented above in their current state for convenience.

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson, et al., (WO 00/30293 – “Johnson) in view of Fletcher, et al., (U.S. 6,085,243 – Fletcher).

Regarding independent claims 1, 11, and 21 the invention is a data concentrator having a first interface for communicatively coupling, at an internal space in a wall, said intelligent data concentrator to said network. A second interface comprises a plurality of communication ports for communicatively coupling, at an external surface of the wall, said intelligent data concentrator to a plurality of client devices at said plurality of communication ports such that said client devices are communicatively coupled to said network.

The functional disclosure of Johnson of a hub connected to a network and devices is not disputed. However, as admitted by the Examiner, Johnson fails to describe, teach, suggest or show the interfaces recited in the claims.

Fletcher describes a switch with dRMON functionality. It is, of course, the nature of a switch to have communication ports to perform its function. However, the Examiner’s assertions that the communication ports of the Fletcher switch “*may be classified as the external surface of the wall*” is

pure conjecture and absolutely unsupported anywhere in Fletcher. Fletcher describes two types of dRmon proxies at col. 11, Workgroup Proxies and Domain Proxies. Domain proxies are used in larger networks and, according to Fletcher, are standalone stackable devices, see col. 11, lines 60-65, below:

anywhere in the enterprise. Because of their greater scope of 60
responsibility and the need to provide considerable long
term and nonvolatile data storage, DPs are generally much
more powerful devices than Workgroup Proxys and as such,
are generally implemented as standalone stackable devices
generally located with the switches and hubs they oversee. 65

The physical attributes of stackable networking devices, such as stackable switches, is well known in the art. It would be readily understood by a person of ordinary skill on the art that no stackable network device provides a first interface for communicatively coupling, at an internal space in a wall, said intelligent data concentrator to said network. Nor a second interface with communications ports at an external surface of the wall, as claimed. Switches and hubs can also be implemented as chassis-based devices, which certainly does not teach internal to a wall or external surfaces of a wall. Therefore, Domain Proxies cannot teach what is claimed.

The other type of dRMON proxy described by Fletcher is a Workgroup Proxy, described in detail in column 12. There, three physical implementations are described, 1) Probe Based, 2) Hub/Switch based, and 3) Stackable/Standalone. Clearly, the (1) dRmon probe does not describe what is claimed, nor does the (3) stackable/standalone, see above. As for (2) Hub/Switch based proxy, there is no actual description of the physical characteristics in col. 12, lines 23-35 that describe the implementation, see below:

(2) Hub/Switch Based. Most Hubs or Switches are offered in manageable versions including management functions, so
25 it is a natural option to place a dRMON Proxy within them. The primary disadvantages to this approach are that management cards are often resource constrained both in available CPU power as well as in RAM capacity, with the RAM limitations often enough to preclude doing much in the way
30 of packet capture and store, and that to one degree or another, the inclusion of RMON analysis in the switch usually negatively affects overall switch performance. Nevertheless, many users may still prefer this approach and it could enable an RMON solution for products that don't
35 have the resources to support full embedded RMON.

While no physical attributes of the hubs or switches are described above, the Examiner will note that the section describing (3) stackable/standalone, indicates that the hubs/switches are stackable, see again col. 12, lines 36-38, below:

(3) Stackable/Standalone. The Stackable Proxy is a dedicated dRMON Proxy whose packaging may be identical to that of the stackable hubs which it would manage. It may be

There should be no doubt that Fletcher describes stackable hubs/switches in Figure 1. As demonstrated above, the Examiner's attempt to portray the Fletcher switches with dRmon agents as providing a first interface internal to a wall and a second interface at an external surface of a wall is a fiction having no basis or support in Fletcher. Fletcher can never be used to make the claimed first or second interfaces obvious.

Regarding dependent claims 2-10, 12-20 and 22-30, each recites features that further distinguish the invention over the cited art. The novel configuration of the invention saves costs associate with network infrastructure wiring, and lends a unique advantage to network administrators who, in using the invention, can map known physical locations of the invention which results in knowing the geographic location

of today's inherently mobile peripheral devices as they connect to different instantiations of the invention within a network, e.g., moving from office to office, cube to cube, meetings in conference rooms, and even building to building within a network. The referenced art fails to teach what is claimed and therefore, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 1-30.

It is believed that this application is now in condition for allowance. A notice to this effect is respectfully requested. Should further questions arise concerning this application, the Examiner is invited to call Applicant's attorney at the number listed below. Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-3650.

Respectfully submitted,
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